

#3



UNITED STATES PATENT AND TRADEMARK OFFICE


 COMMISSIONER FOR PATENTS  
 UNITED STATES PATENT AND TRADEMARK OFFICE  
 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/875,065	06/05/2001	Robert F. Scalese	31027-pa

CONFIRMATION NO. 8094

## FORMALITIES LETTER



\*OC000000006369817\*

 Bernhard Kreten  
 Suite 245  
 77 Cadillac Drive  
 Sacramento, CA 95825

Date Mailed: 08/01/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The signature of the following inventor(s) is missing from the oath or declaration:  
*Jan Claesson*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

 Customer Service Center  
 Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

10/10/2001 HBERHE 00000093 09875065

01 FC:105

130.00 0P



Sector  
✓  
#3

UNITED STATES PATENT AND TRADEMARK OFFICE

<b>APPLICANT:</b>	Robert F. Scalese, Thomas B. Taylor } Tim Holzschuh, Douglas E. Harbert, } Thomas G. Plaven, Martin L. Maple } and Jan Claesson }
<b>SERIAL NO.:</b>	09/875,065 }
<b>FILED:</b>	June 5, 2001 }
<b>FOR:</b>	A Microwave Moisture Analyzer: } Apparatus and Method }

To: Commissioner for Patents  
Attn.: Box Missing Parts  
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE**  
**MISSING PARTS OF NONPROVISIONAL APPLICATION**

Responsive to the Notice to File Missing Parts of Nonprovisional Application dated August 1, 2001, kindly enter the enclosed copy of the Declaration for Patent Application signed by Jan Claesson on August 7, 1998 and the enclosed originally signed Declaration for Patent Application signed by Jan Claesson on September 24, 2001 into the above-identified case.

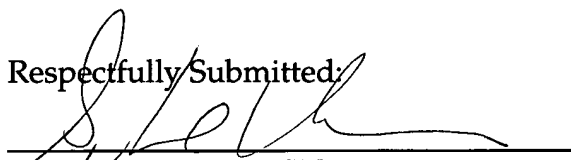
The Commissioner is respectfully request to note that the present application is a Division of U.S. Serial No. 09/086,756 filed May 27, 1998. Jan Claesson's declaration was executed on August 7, 1998 and filed in the parent case (i.e., 09/086,756) in response to a Notice to file Missing Parts of Patent Application. The present divisional patent application was timely filed on June 5, 2001 with a copy of the prior application and both the declarations from the parent case in accordance with 37 CFR § 1.53(d). However, when the application papers were prepared for filing, the second page of Jan Claesson's declaration for patent application was inadvertently omitted therefrom.

Accordingly, undersigned has appended a copy of Jan Claesson's declaration from the parent case (i.e., 09/086,756) in response to the present Notice. In an overabundance of caution, perhaps, Mr. Claesson has also executed a new original declaration for patent application in support of the June 5, 2001 filing which is also appended hereto.

A check in the amount of \$130.00 is enclosed which reflects the government surcharge fee with respect to this Notice to File Missing Parts of Nonprovisional Application. An authorization to charge deposit account is also appended hereto should the Commissioner believe that additional fees remain due.

Dated: September 27, 2001

Respectfully Submitted:



---

BERNHARD KRETEN  
Applicant's Attorney  
Telephone (916) 921-6181  
Registration No.: 27,037



**CERTIFICATE OF MAILING UNDER 37 CFR 1.8(a)**

**Applicant:** Robert F. Scalese, Thomas B. Taylor, Tim Holzschuh, Douglas E. Harbert, Thomas G. Plaven, Martin L. Maple and Jan Claesson

**Serial No.:** 09/875,065

**Filed:** June 5, 2001

**For:** Microwave Moisture Analyzer: Apparatus and Method

**Paper:**

1. Response to Notice to File Missing Parts of Nonprovisional Application (responsive to the Notice to File Missing Parts of Nonprovisional Application dated August 1, 2001) (original and one copy);
2. Notice to File Missing Parts of Nonprovisional Application (Part 2 - copy to be returned with response);
3. Declaration for Patent Application (filed in response to a Notice to File Missing Parts of Application and dated 8/7/98 (copy from prior application));
4. Declaration for Patent Application (originally executed on September 24, 2001);
5. A check in the amount of \$130.00 of which reflects the government surcharge for filing this response to Notice to File Missing Parts of Nonprovisional Application; and
6. A Return Receipt Card.

I hereby certify that the above identified correspondence, which is attached, is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:

Commissioner for Patents  
Box Missing Parts  
Washington DC 20231

on September 27, 2001.

Heidi Hernandez

  
(Signature)

September 27, 2001  
(Date of Signature)